

**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**January 23, 2008**

The meeting was called to order at 4:04 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Harold Woodruff, Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, and  
Mary Jayne Davis

**ABSENT:** Dale Clayton and Jason Jones

**WEST VALLEY CITY PLANNING DIVISION STAFF**

Steve Pastorik, Steve Lehman, and Jody Knapp

**WEST VALLEY ADMINISTRATIVE STAFF:**

Nicole Cottle, Asst. City Attorney

**AUDIENCE**

Approximately twelve (12) people were in the audience

**ZONE CHANGE APPLICATION:**

**Z-1-2008**

**Gary Nielson**

**1751 West 3100 South**

**R-1-4 to C-2**

**0.49 acres**

Gary Nielson has requested a zone change for a 0.49 acre parcel at 1751 West 3100 South from R-1-4 (single family residential, minimum lot size 4,000 square feet) to C-2 (general commercial). Surrounding zones include RMH (residential, mobile homes) to the north, C-2 (general commercial) to the east, C-2 and RMH to the south, and A and RMH to the west. Surrounding land uses include the American Heritage Mobile Home Park to the north, single family homes and the Redwood Village Mobile Home Park to the west and south, and an abandoned single family home and mobile home to the east. The subject property is designated as medium density residential, which allows 6 to 10 units/acre, in the West Valley City General Plan. The Plan also calls for general commercial uses to the east.

The subject property was rezoned from A (agriculture) to R-1-4 last year. The proposal at that point was for 3 single family home lots. A development agreement was approved in conjunction with the rezone.

The latest proposal is for a 17 room assisted living facility. A concept plan is attached. Also attached is a memo from the applicant addressed to West Valley Planning and Zoning that explains the rationale behind the application, describes the proposed use, and includes pictures of the proposed use.

The General Plan does call for medium density residential on the subject property; however, staff believes that a General Plan change is not necessary because: the property to the east is zoned C-2, the General Plan designation for the property to the east is general commercial, and the proposed use is residential in nature.

Since the proposed use as assisted living is a relatively low impact use, staff recommends a development agreement to be approved in conjunction with the rezone that would limit the use to an assisted living facility. The development agreement should also address building design. Normally, the commercial design standards apply to new commercial uses. However, in this situation, staff recommends the multi-family residential design standards be used for the building design review.

**Staff Alternatives:**

-Approval, subject to a development agreement that limits future use of the property to an

assisted living facility and requires the building to meet the architectural requirements from the multi-family residential design standards.

-Continuance, for other reasons determined at the public hearing.

-Denial, single family homes are a more appropriate use of the property.

**Applicant:**

Gary Nielson  
295 Eagle Ridge  
North Salt Lake, UT 84054

**Discussion:** Steve Pastorik presented the application. This area was recently rezoned to 'R-1-4' (residential, single family, 4,000 square ft. minimum) but is now being petitioned for a 'C-2' (general commercial) zone to accommodate an assisted living facility. Mr. Pastorik explained that the latest concept of this facility includes seventeen rooms. The applicant, Gary Nielson, explained that he had originally thought to mix the facility with a residential area. An assisted living facility is allowed in a residential zone but Mr. Nielson explained that it must be owner occupied. Mr. Nielson said that this facility would be run like a business and so he must request a change to a 'C-2' zone.

Commissioner Matheson asked if the residents of this facility would require nursing care. Mr. Nielson replied that no nursing staff would be needed. Employees would assist residents by providing their medications but if they go into a state where they require nursing care, they would be moved to another facility. Commissioner Matheson questioned if a van would be provided for the residents. Mr. Nielson replied that this is a possibility but he hasn't made a final decision on this matter yet. One of the advantages of the location of this facility is that it is near a multi-purpose center that provides senior programs.

Chairman Woodruff asked if the residents would have a car. Mr. Nielson said that typically they would not. Most of the residents that live in this type of planned facility would normally be in their seventies or older. Families want their loved ones to come to this facility because they can interact with other people in a comfortable, home-like environment. Mr. Nielson explained that most often families would provide any transportation needs so the residents would not require a car.

Commissioner Davis explained that she had been to a Beehive Home facility and was very impressed. She asked the applicant whether Beehive Homes was a company. Mr. Nielson explained that each location was independently owned and was more like a franchise. Beehive Homes is the first business to develop this concept of a facility that

doesn't require a nursing staff.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Fuller moved for approval subject to the development agreement that limits future use of the property to an assisted living facility. This also requires the building to meet the architectural requirements from the multi-family residential design standards.

Commissioner Davis seconded the motion.

**Roll call vote:**

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous – Z-1-2008 – Approved**

**SUBDIVISION APPLICATION:**

**SV-3-2008**

**1400 West 3500 South**

**BACKGROUND**

West Valley City is requesting a street vacation for a portion of 1400 West at 3500 South. The street to be vacated is located immediately to the west of Plaza Cycle.

The request to vacate the right-of-way is being submitted by the City's Economic Development Division. Over the past year, Plaza Cycle has expressed an interest in expanding their existing business. The proposed expansion and economic benefit to the City is the driving force behind the street vacation.

The vacated right-of-way will not adversely affect adjacent businesses as frontage requirements and utility services will still be provided. A new road to provide access to 3500 South has already been installed to replace the proposed vacated right-of-way.

According to City ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

## **RECOMMENDATION**

1. Approval of the street vacation plat.
2. Continue the application due to issues raised at the public hearing.

**Applicant:**  
**West Valley City**

**Discussion:** Chairman Woodruff asked if there was anyone in the audience for this application. There was not. The Planning Commission had already seen the application presented in the study session and pre-meeting and did not require any further discussion.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Matheson moved for approval

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous –SV-3-2008– Approved**

**SD-3-2008**  
**1400 West 3500 South**

## **BACKGROUND**

West Valley City is requesting consideration to dedicate a new right-of-way at 1400 West 3500 South. This road will replace the vacated portion just reviewed by the Planning Commission.

The new road has already been constructed just to the west of the original 1400 West street. The new right-of-way will be 42 feet in width and will provide a sidewalk on the east side of the right-of-way.

## **RECOMMENDATION**

- a. Approval of the street dedication plat.
- b. Continue the application due to issues raised at the public hearing.

**Applicant:**  
**West Valley City**

**Discussion:** Chairman Woodruff asked if there was anyone in the audience for this application. There was not. The Planning Commission had already seen the application presented in the study session and pre-meeting and did not require any further discussion.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Matheson moved for approval

Commissioner Mills seconded the motion.

**Roll call vote:**

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous –SD-3-2008– Approved**

**PUD-7-2007**  
**Majestic Villas – Final Plat**  
**3100 South 7200 West**  
**R-1-8 Zone**  
**81 Units**  
**13.24 Acres**

**BACKGROUND:**

Rundassa Eshete, is requesting final plat approval for the Majestic Villas Subdivision. The subject property was rezoned in August 2007. During that process, a development agreement was reviewed and approved by the Planning Commission. The proposed development received preliminary approval in October 2007.

**STAFF/AGENCY COMMENTS:**

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modification to existing ditches or irrigation systems.
- Follow recommendations outlined in the soils report.
- Dedication and improvements required along 3100 South and 7200 West.
- Revisions to plat required.
- Contact Salt Lake County for approval regarding street names and subdivision name.

Building Division:

- Follow recommendations outlined in the soils report.

Utility Companies:

- Will need to coordinate utility easements for this project.

Fire Department:

- Project to meet all fire codes relating to this type of development.
- Hydrants to be shown on plat.

## **ISSUES:**

The Majestic Villas PUD is a senior community consisting of 81 units on 13.24 acres. This equates to an overall density of 6.11 units per acre which is similar to other senior projects approved in the City. The subdivision is being proposed as a planned community with private streets, open space and club house.

Access to the development will be gained from 3100 South and from 7200 West. The internal street system will be private and access to all dwellings will be through a series of limited driveways. The limited points of access from the driveways will add to the character of the subdivision similar to the Hunter Villas PUD.

The developer will be required to dedicate and improve both 3100 South and 7200 West. The street cross section will provide for a 5-foot parkstrip and 5-foot sidewalk. Because the development is private and will have an association that will be responsible to maintain all landscaped areas, staff will recommend that both streets have a landscaped parkstrip with street trees.

The developer is proposing to fence the subdivision with two different kinds of fencing. For those areas that are adjacent to residential properties, and along 7200 West, a 6-foot vinyl fence is proposed. Fencing along 3100 south will be a 3-rail vinyl fence.

The majority of buildings will be comprised of 4 units. There will be a few buildings with 2 units to make use of various property and utility constraints. The architecture is somewhat reflective of a craftsmen style and will be a unique addition to the Hunter Village area. The minimum dwelling size will be 1500 square feet. It is anticipated that some of the units will have a loft which will increase the square footage on certain units.

Building materials will consist of 100% masonry products. The development agreement states that no more than 50% of the exteriors shall be stucco. According to the elevations, and in accordance with the above noted requirement, chosen materials will consist of stone, stucco and hardi plank. The minimum roof pitch is 5:12 with the majority of the roof being 7:12.

The development site contains both private and dedicated open space. This is somewhat unique to have both open space characteristics in the same development. However, due to the existing trail systems in both the Hunter Village and Sugarplum Farms



subdivisions, the extension of the trail through this property is critical. The trail system will be 8 feet in width and will consist of an asphalt surface.

Subsequent to the preliminary approval, the development site has been modified somewhat to reflect recommendations of the City Parks Department. During the preliminary review, concerns were expressed by the Parks Department that the trail could be challenging for residents to use because of its location to the internal street system. After discussing this matter with staff and the Parks Department, the site has been altered to provide a better designed trail without the awkward crossings of private streets.

A 50-foot wide trail easement has also been designated on the plat. The purpose for this easement is to protect the integrity of the trail by establishing standards for maintenance and trail specifications. The developer will be required to install the trail system and adjacent landscaping. A formal agreement will be prepared by the City Attorney's Office and signed by the developer prior to plat recording.

An updated soils report has been submitted for the final plat. This report indicates that no ground water was encountered in any of the test pits. This information is consistent with previous soils reports of this property.

The property has a gentle slope from the southwest to the northeast. The Public Works Department will require a detention basin be used to address storm water issues. The location of this basin is right at the northeast corner of the development. This matter will be addressed by the Engineering Division and coordinated with the developer.

The density proposed for this site will require the developer to participate in the TDR program. As specified in the development agreement, the applicant will need to resolve this issue as part of the subdivision process. Staff will be coordinating this matter as the subdivision moves forward. The results shall be completed prior to plat recording.

#### **STAFF ALTERNATIVES:**

- A. Grant final approval for the Majestic Villas Subdivision subject to the following conditions:
  - 1. That the subdivision be guided by the recorded development agreement.
  - 2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.

3. That compliance be made with the Water and Sewer District, i.e., water line extensions, connections, water rights and fire protection. The developer shall resolve all matters pertaining to these services and necessary easements prior to final plat review.
  4. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer shall coordinate with any water users and the City Public Works Department as part of this recommendation.
  5. That fencing adjacent to residential properties and along 7200 West consist of a 6-foot vinyl fence. Fencing along 3100 South shall consist of an open 3-rail vinyl fence.
  6. That recommendations outlined in the soils report be followed. Basements will be allowed in this development.
  7. That the submitted landscaped plans be followed. Additional trees will need to be installed along 3100 South and 7200 West. Staff will coordinate this matter with the developer prior to plat recording.
  8. That the trail location and configuration meet with the approval of the Parks Department. The City Parks Department shall review and approve the trail and landscaped plan prior to plat recording. The City Attorney's Office will prepare an agreement for the 50-foot wide trail easement.
  9. That the proposed development comply with all provisions of the West Valley City Fire Department. This shall include access into and through the project.
  10. That proposed building setbacks be in accordance with the site plan reviewed as part of this application. Slight modifications can be made to this plan if needed in order to accommodate utilities or other infrastructure. Modifications that deviate substantially from the approved site plan shall be reviewed by the Planning Commission.
  11. That a lighting and entry monument plan be submitted.
  12. That the developer work with staff to resolve the TDR issue. This matter shall be resolved prior to plat recording.
- B. Continue the application to address issues raised by the Planning Commission.

**Applicant:**

**Rundassa Eshete  
214 E. Delgada Lane  
Stansbury Park, UT 84074**

**Discussion:** Steve Lehman presented the application. Commissioner Mills asked about the split rail fence and if there was any anticipation on the height of this fence. The applicant, Rundassa Eshete, replied that fence heights were being discussed. He explained that they were flexible on height standards and will be working out the details.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Mills moved for approval subject to the 12 staff conditions.

Commissioner Conder seconded the motion.

**Roll call vote:**

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous – PUD-7-2007 – Approved**

**S-25-2007**

**Reunion Village – Preliminary Plat  
3639 South 5600 West  
R-1-8 Zone  
26 Units  
4.19 Acres**

**BACKGROUND:**

*This item was continued from the January 9, 2008 meeting. The reason the application was continued is to allow the developer an opportunity to address concerns expressed by the*

Planning Commission regarding the open space and detention basin areas. Staff will provide the original analysis along with new information regarding these concerns.

Jeff Mansell, is requesting preliminary approval for the Reunion Village Subdivision. The subject property was rezoned in October 2007 from the A Zone to the R-1-8 Zone. A development agreement was reviewed and approved by the Planning Commission and City Council during the rezone process. This agreement sets forth the development standards to be used in this development. Staff will reference the highlights of this agreement throughout the subdivision analysis.

#### **STAFF/AGENCY COMMENTS:**

##### Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modification to existing ditches or irrigation systems.
- Soils report will be required.
- Will need to address the storm water drainage issues.
- Will need to coordinate proposed access with UDOT.
- Revisions to plat required.
- Contact Salt Lake County for approval regarding street names and subdivision name.

##### Building Division:

- Will need a soils report prior to final plat review.

##### Utility Companies:

- Will need to coordinate utility easements for this project.

##### Fire Department:

- Project to meet all fire codes relating to this type of development.
- Hydrants to be shown on plat.

- Questions on whether this community is gated. If so, coordination regarding access will be needed.

## ISSUES:

The Reunion Village Subdivision is a senior community consisting of 26 units on 4.19 acres. Although 26 units are mentioned, there will actually be 24 new units. Two existing dwellings to the south will remain as previously constructed. The project has an overall density of 6.2 units per acre which is similar to other senior projects approved in the City. The subdivision is being proposed as a planned community with private streets, and open space areas.

Access to the development will be gained from 5600 West. The developer will need to coordinate this access with UDOT and will need to submit the necessary permits to the City Engineering Division. There are presently two existing dwellings on 5600 West that will gain access through the new development. The applicant will be responsible to coordinate this access and all new improvements with these property owners. The internal street system will be private and access to all dwellings will be through a series of limited driveways. The limited points of access from the private street will add additional landscaping and character to the subdivision.

Buildings will be comprised of 4 units with the exception of the front building. The architecture is somewhat similar to the Valley View Villas and Hunter Villas communities. The minimum dwelling size will be 1500 square feet as specified in the development agreement.

Building materials will consist of 100% masonry products. According to submitted building elevations, chosen materials will consist of stone, stucco and hardi plank. The developer is looking at two color schemes. Although the proposed colors are somewhat similar, there are enough differences to create an attractive look between buildings.

As mentioned previously, the Planning Commission and City Council reviewed and approved a development agreement for this subdivision. Staff believes that the standards outlined in this agreement will create a unique community for senior living. The development agreement states that at least 80% of the units shall have an occupant that is at least 55 years of age.

During the January 9, 2008 Planning Commission meeting, two concerns were expressed regarding the proposed open space and detention areas of this project. These concerns are as follows:

1. The total open space for this project is approximately 1.72 acres or 43%. The Planning Commission expressed concern that the development did not meet the requirement of 50%. Although the Planning Commission can reduce the open space requirement, it was thought that the open space and proposed amenities would not be sufficient for this project.

After discussing this matter with the developer, and as per the study session, he believes that the proposed open space will meet the needs of future residents. He mentioned that the rambler style dwelling was much more conducive to the senior concept, but does take up more land. He commented that alternative building footprints could be explored, but it would likely mean two story dwellings.

Mr. Mansell believes that the percentages of open space in this development are comparable to that of other senior communities. He is still of the opinion that the project will be a benefit to the City and would like to request the open space reduction.

2. The Planning Commission also expressed concerns regarding the depth of the detention basin. The Planning Commission believes that the depth of the basin would make it difficult for residents to use.

After discussing this matter with the developer's engineer, staff learned that the basin is designed to meet UDOT requirements for a 25 year storm. The City typically requires these basins to handle a 10 year storm. However, because storm water will flow into 5600 West, the basin has been oversized to accommodate UDOT's requirement.

The project contains over 15% of useable open space without the detention basin. The question that needs to be asked is whether it is appropriate to have amenities in an area that is somewhat difficult to access. Two suggestions were made during the study session that could mitigate this concern. One is that the depth of the basin could be lessened by an underground storage system. The other is that an access ramp could be installed to provide a more convenient path to the amenities.

The detention basin will only be used if a substantial amount of water is present. Because its use is detention, a certain amount of water will be allowed to flow into 5600 West without negatively affecting this area. The basin will only be active during larger storms. Therefore, the developer believes that the proposed amenities, i.e., gazebo, picnic areas etc. should be allowed to stay.

There was also some concern regarding the noise from 5600 West as it relates to the detention area. The Planning Commission suggested that the developer install a masonry wall along this right-of-way to lessen the impact. Staff would suggest that the wall be setback 20-feet from the road and extend across the entire frontage. The wall could also be constructed on a portion to the south to help further reduce the noise impact. The wall could then be incorporated as part of the entry feature.

The developer is proposing to fence the perimeter of this development. Senior communities that have been approved in past years have all had perimeter fencing. To create the privacy that the developer is seeking, he is proposing a 6-foot vinyl fence. Although color is not something that is generally discussed, staff would suggest using a tan color to unify the overall development.

The density proposed for this site will require the developer to participate in the TDR program. As specified in the development agreement, the applicant will need to resolve this issue as part of the subdivision process. Staff will be coordinating this matter as the subdivision moves forward. The results shall be completed prior to the final plat process.

There are a number of mature trees on this property. Staff will recommend that the developer provide a tree survey and an evaluation of said trees. If possible, the developer shall retain as many trees as the development will permit.

Staff is unsure what type of lighting will be used for this development and it's unclear whether an entry feature will be used. Staff recommends that an entry feature be installed along 5600 West to identify this development. Both a lighting plan and entry feature description shall be provided prior to final plat review.

#### **STAFF ALTERNATIVES:**

- A. Grant preliminary approval for the Reunion Village Subdivision subject to the following conditions:
  - 1. That the subdivision be guided by the recorded development agreement.
  - 2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.
  - 3. That compliance be made with the Water and Sewer District, i.e., water line extensions, connections, water rights and fire protection. The developer shall resolve all matters pertaining to these services and necessary easements prior to final plat review.

4. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer shall coordinate this matter with any water users as part of this condition.
5. That the perimeter of this development be fenced with a 6-foot vinyl fence.
6. That a soils report be submitted. This report will need to be evaluated by both the City Engineer and Building Official as it relates to ground water and other soil characteristics.
7. That a landscape plan be submitted prior to final plat review. The landscape plan shall include both an overall plan and building specific plan.
8. That the proposed development comply with all provisions of the West Valley City Fire Department. This shall include access into and through the project.
9. That proposed building setbacks be in accordance with the site plan reviewed as part of this application. Slight modifications can be made to this plan if needed in order to accommodate utilities or other infrastructure. Modifications that deviate substantially from the approved site plan shall be reviewed by the Planning Commission.
10. That a lighting plan be submitted as part of the final plat process.
11. That the developer work with staff to resolve the TDR issue.
12. That a tree survey be provided prior to final plat review. Consideration shall be given to save as many trees as possible.
13. All walking trails shall be a minimum of 5 feet in width and shall be constructed of concrete.
14. That an entry feature plan be submitted prior to final plat review.
15. That mechanical equipment visible from the private street shall be screened with vegetation. The landscaping plan to be submitted with the final plat shall address this concern.
16. That the center drainage in the private street be replaced with a more standard drainage system.



17. That the Planning Commission determine the amount of open space for this project. Should the Planning Commission decide that 50% open space is required, the developer will need to choose a different floor plan or remove units to meet that requirement.
18. That the developer provide a more convenient access into the detention basin.
19. That a masonry wall be installed across the front of the detention basin. The wall shall be setback a minimum distance of 20 feet. The 20-foot setback area shall be landscaped in conjunction with the remaining project.

B. Continue the application to address concern raised during the Planning Commission hearing.

**Applicant:**

**Jeff Mansell  
9015 Canyon View Circle  
Sandy, UT**

**Discussion:** Steve Lehman presented the application. Mr. Lehman reminded the Planning Commission that they had continued this application to allow the applicant time to address open space issues. Mr. Lehman explained that 50% open space is required and 43% open space is being presented by the applicant. The Planning Commission has the ability to reduce that requirement if they choose. Mr. Lehman also reminded the Commission that another problem they had with this application was the detention basin.

The applicant, Jeff Mansell, began by explaining that the detention basin is prepared for a 25 year storm. In addition to this fact, Mr. Mansell said that the basin would only be used secondary to the main City storm drains. The only time this area would be affected is in the event of a severe storm. Mr. Mansell explained that an approved ramp has been added to the design to make it easier for people to get down into the detention basin from the trail system. Mr. Mansell said that he wanted to make the area more private so he has decided to add a masonry wall on 5600 West. The wall will be six feet in height and will be a pre-cast concrete wall. This adds to both the protection and privacy of this development. Mr. Mansell feels that these factors have improved the area and allows this space to be more useable. Mr. Mansell asked the Commission to reduce the open space percentage because he doesn't want to be forced to go to a two story building. He explained that this area is targeted toward an older community and would like to provide them with one level living. Mr. Mansell believes this is the type of project the community needs and wants.

Commissioner Conder asked if the detention basin had more of a problem with volume or depth. He wondered if it could be made more shallow and still meet the requirements. Mr. Mansell explained if they were to go to a smaller basin, it would still meet the 10 year storm requirements.

Commissioner Davis stated that there was more than one way to meet the open space requirement. She suggested that Mr. Mansell could eliminate one unit and that would create more open space. Mr. Mansell replied that getting rid of one unit would only provide 1500 square feet of open space and would not be close to the 50% open space requirement. He also feels that doing this would affect the density of the project and doesn't want to lose an entire unit.

Commissioner Matheson stated that he doesn't like the unit in the detention basin sitting by itself. He believes the homeowner will feel like this element is in the backyard. Mr. Mansell said that the trail system would be moving through the backyards as well but he could perhaps add more landscaping so that it doesn't feel this way. Commissioner Matheson stated that the unit could be torn down to create the feel of a more open space. Mr. Mansell wants to keep the unit for economic purposes and believes that it would be too expensive to tear down.

Commissioner Mills asked more about the wall on 5600 West. Mr. Mansell explained that the wall would wrap slightly to provide an entry feature and could be used for signage and nice lights. Commissioner Mills asked if the applicant had decided on a color for the wall. Mr. Mansell replied that they wanted to go with a natural, concrete wall with paint similar to the color schemes chosen for the units. Commissioner Mills asked if there would be any variation in the color. Mr. Mansell replied that he liked the idea of a wall with variation.

Commissioner Matheson believes the project would be enhanced and improved if the unit were removed from the detention basin. He said that if the applicant were willing to do this, he would be satisfied with the project and would feel comfortable reducing the open space requirement. Commissioner Conder agreed with this statement and added that he feels it would give this area a nice, useable space that would make it more accessible. Commissioner Davis also agreed with this idea and believes the project needs open space. Commissioner Mills commented that if the unit were to stay, she likes the idea of adding landscaping to it. She also likes the idea of the wall on 5600 West because it gives the area some seclusion from an extremely busy road. Commissioner Mills added that she would like to see vegetation and landscaping to make the area more attractive.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Conder moved for approval subject to the 19 conditions

presented by staff and also modifying item number 17 by adding the option to either meet the 50% open space requirement or to eliminate the unit in the detention basin to provide a more open feel to the area.

Commissioner Davis seconded the motion.

**Roll call vote:**

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	No
Chairman Woodruff	Yes

**Majority– S-25-2007 – Approved**

**S-26-2007**

**The Vistas at Westridge Subdivision - Phase 3E - Final Plat**

**R-1-4 Zone**

**5.6 Acres**

**35 Lots**

**BACKGROUND**

Mr. Clint Carter, representing Liberty Homes, is requesting final plat approval for phase 3E of the Vistas at Westridge Subdivision. This phase represents the last phase of the smaller lots platted as part of the Vistas Subdivision.

**STAFF/AGENCY COMMENTS:**

Public Works Department:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Continue to work with the Public Works Department regarding ground water issues.

- Contact Salt Lake County Auditor's Office for approval of street names and subdivision names.
- Revisions to plat required.
- Retaining walls may be required.
- Street cross sections to be approved by the City Engineer.

Building Division:

- Follow recommendations outlined by the City Engineering Division regarding ground water and retaining wall requirements.

Utility Companies:

- Standard Utility Easements required.

Utility Companies:

- Standard Utility Easements required.

Granger Hunter Improvement District:

- Project is subject to all GHID requirements and design standards.

Fire Department:

- Proposed fire hydrant locations need to be shown on subdivision plat.
- Project shall meet all provisions of Fire Code relating to this type of development.

**ISSUES:**

- Phase 3E is being proposed with 35 lots on approximately 5.6 acres. The minimum lot size in this phase of the Vistas is 5,000 square feet. All lots are fairly uniform in their design and meet the area and frontage requirements of the R-1-4 zone.
- Access to this phase of the subdivision will be gained from stub streets in phases 3C and 3D. All streets will be dedicated and will consist of a 56-foot right of way. The cross

section does allow for a 5 foot walk and a 6-foot parkstrip.

- During the study session, a concern was raised about the potential effects of the Mountain View Corridor. More specifically, would access to this development comply with City and fire ordinances if the corridor is constructed. The stub road to the east is existing and extends to the east boundary of this plat. As such, City and fire ordinances are satisfied. If the road to the east was not constructed, a problem would exist with the number of lots proposed in this phase. Should the corridor be built in the future, and access to the east terminated, UDOT does own a number of properties in that phase which would allow access to be re-routed to the north. As such, staff believes that the plat can move forward in its current configuration.
- The subdivision slopes from the south to the north. The slope of this property could create problems for home owners due to the small lots. The grading and drainage plan will be evaluated by the City Engineering Division. As has been done in previous phases with small lots, retaining walls may be required especially between phases where residential units back one another. The Engineering Division will coordinate these improvements with the applicant.
- The developer will be responsible to coordinate the availability of all utilities for the subdivision. In the case of water and sewer, Granger Hunter Improvement District has notified staff that all services are available.
- The original geotechnical report indicates that subsurface water was encountered in this area at a depth of approximately 5 feet. The developer has installed a land drain system in order to allow basements. To date, staff is not aware of any major concerns regarding the effectiveness of the land drain system. Because ground water impacts have been a challenging part of this development, the Public Works Department is continually coordinating these issues with the developer.
- The subdivision is located in the overpressure zone. City ordinance will require that certain construction standards, specifically stronger windows be applied for new dwellings.
- During preliminary hearings, staff noted that this area is likely to be subject to potential impacts from the manufacturing uses to the south and from the USANA Amphitheater. The development agreement was modified to reflect these concerns. As a result, a note will need to be placed on the plat identifying this subdivision as an area that may be subject to noise from the USANA Amphitheater and from noise and odors associated with manufacturing uses.

#### **STAFF ALTERNATIVES:**

1. Approve the final plat for Phase 3E subject to the following:
  1. That the subdivision be guided by the recorded development agreement.
  2. That the developer contact the Salt Lake County Auditor's Office regarding the subdivision name and all street names associated with the development.
  3. That compliance be made with the Granger Hunter Improvement District i.e., water line extensions, connections, water rights and fire protection. The water system, including fire protection, shall be installed to the satisfaction of the City prior to issuance of building permits.
  4. That the developer coordinate all matters associated with any irrigation or open ditch systems with the City Engineering Division. The developer shall coordinate with any water users and the City Public Works Department as part of this recommendation.
  5. That all interior streets, including design of said streets shall be approved by the City Engineering Division.
  6. That the developer coordinate all matters pertaining to the soils report with the City Engineer and Building Official.
  7. That all single-family dwellings be subject to the construction standards outlined in Section 7-10 of the West Valley City Code. This section outlines the requirements for construction within the Overpressure Zone.
  8. That a note be placed on the plat notifying potential residents that this subdivision is located near manufacturing property and may be subject to noise and odors associated with manufacturing uses and entertainment uses.
2. Continue the application to address concerns raised in the Planning Commission meeting.

**Applicant:**

**Clint Carter**

**13609 S. 6315 W.**

**Herriman, UT 84096**

**Discussion:** Steve Lehman presented the application. Mr. Lehman explained the potential Mountain View Corridor road situation but reminded the Planning Commission that the future should not be taken into consideration at this point. The applicant, Clint Carter,

explained that this is another phase of the subdivision that they have already done. Commissioner Matheson asked if the applicant was able to put some of the nicer homes on the smaller lots. Mr. Carter explained that the nicer homes do fit onto these lots. Steve Lehman explained that Liberty Homes have done a very nice job mixing up the area with a variety of homes and making the subdivision look nice.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Matheson moved for approval subject the 8 staff conditions

Commissioner Fuller seconded the motion.

**Roll call vote:**

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous – S-26-2007 – Approved**

**S-27-2007**

**Apple Orchard Estates Subdivision**

**3620 South 6000 West**

**R-1-8 Zone**

**16 Lots**

**BACKGROUND**

Mr. Paul Thomas, is requesting preliminary plat approval for the Apple Orchard Estates Subdivision. The subject property is located at 3620 South 6000 West and is zoned R-1-8. Residential housing is located on the north, south and west of the proposed subdivision.

**STAFF/AGENCY CONCERNS:**

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code.

Granger Hunter Improvement District:

- Project will need an availability letter for water, sewer and fire protection.
- Subject to design and review inspections.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Will need to evaluate how developer will handle tail water.
- Will need transition improvements adjacent to 6000 West.
- Coordinate storm water drainage with Public Works.
- A soils report will be required prior to final plat submittal.

Building Inspections:

- Soils report will be required prior to final plat.

**ISSUES:**

- The proposed subdivision consists of 16 lots on 5.8 acres. This equates to an overall density of 2.7 units per acre. Lot sizes range from 10,958 to 15,011 square feet. The average lot size in the subdivision has been calculated at 12,430 square feet.
- The subject property was rezoned a number of years ago. A development agreement was required which established square footage and masonry requirements of new homes. These requirements are less than what is presently required by ordinance. However, after discussing the matter with the applicant, staff is assured that there will be no problem meeting and/or exceeding the current zoning ordinances.
- Access to the subdivision will be gained from 6000 West. The new road will be 54 feet in width which will allow 29 feet of asphalt, 5 feet for curb & gutter, along with a 5-foot



parkstrip and 5-foot sidewalk. The developer will need to coordinate this access with the owner's of property adjacent to 6000 West. Additional right-of-way will be required for the new roadway to be built.

- The subject property has been irrigated for many years. The Public Works Department will require that on-site ditches be piped and that provisions be made to handle any tail water. The developer will need to coordinate the irrigation system, piping and the resolution for tail water as part of this application. The developer will also need to coordinate this resolution with downstream water users.
- As with all new subdivision development, there is a concern with the potential of ground water impacts. The developer will be required to provide a soils report. Results from this report will be made available to the Planning Commission during the final review process.
- The subdivision plat contains two flag lots in order to better utilize the southeast portion of the development site. The area calculation of these lots exceeds the minimum requirements of the flag lot ordinance. This ordinance requires that flag lots be 1.25 times the size of the zone, which in this case would be 10,000 square feet. Square footage proposed for the flag lots is 14,500 and 15,000 square feet.
- Lot 1 is adjacent to property zoned A. City ordinance requires that a 6-foot chain link fence be installed at this location. However, as the adjacent property is not the typical agricultural property, fencing may not be needed. Staff will recommend that the applicant coordinate this matter with the land owner to determine if fencing is needed.

#### **STAFF ALTERNATIVES:**

- A. Grant preliminary approval for the Apple Orchard Estates subdivision subject to the following conditions:
1. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
  2. That the subdivision name and interior street names be approved by Salt Lake County.
  3. That an appropriate ground water and soils investigation be made by a certified engineer. Said report shall be reviewed by the City Engineer and Building Official prior to final plat review.
  4. That interior street widths and cross sections be reviewed and approved by the

Public Works Department.

5. That all matters pertaining to the existing irrigation system be addressed with the Public Works Department and water users as outlined in the analysis.
6. That the developer resolve all staff and agency concerns.
7. That the developer coordinate fencing on the east side of lot 1 with the adjacent land owner. If the property owner anticipates agricultural uses, a 6-foot chain link fence will need to be installed. Also, that a note be placed on the plat regarding the agricultural uses and their potential impacts to the subdivision.

B. Continuance to allow the developer an opportunity to address issues raised during the public hearing.

**Applicant:**

**Paul Thomas**

**3622 S. 6000 W.**

**West Valley City, UT**

**Discussion:** Steve Lehman presented the application. He explained that lot sizes range from 11,000-15,000 square feet with the average being 12,000 square feet. There are also two existing dwellings in this area that are not part of the subdivision. There will be a 5 foot park strip and sidewalk on each side to be maintained by the City. Mr. Lehman also explained that there is an area in the northwest corner that is zoned 'A' (agriculture) which typically requires a chainlink fence. However, the applicant has requested that if there are no animals on this property, they would like to keep the fencing they have chosen. Chairman Woodruff asked what was on the agricultural lot. The applicant, Paul Thomas, replied that there is currently a swimming pool and a tennis court.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Mills moved for approval subject to the 7 staff conditions

Commissioner Davis seconded the motion.

**Roll call vote:**

Commissioner Clayton      Yes

Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous – S-27-2007 – Approved**

**CONDITIONAL USE APPLICATIONS:**

**C-46-2007**

**Jumping Jack Cash (Jim Mchose)**

**3105 West 3500 South**

**C-2 Zone (.88 Acres)**

The applicant, Jumping Jack Cash, is requesting a conditional use permit for a pawn shop business. The following application was continued from the January 9<sup>th</sup>, 2008 meeting to allow time for the applicant to submit alternative building elevations.

The zoning for this area is C-2, General Commercial. The West Valley City General Plan anticipates General Commercial or Medium Density Residential uses for this area. The surrounding zone is C-2, with R-4 to the south. The surrounding uses include automotive services, which are located in the same commercial complex as the proposed use. There is a fast food restaurant to the west, a residential condo complex to the south and residential apartments to the east.

This site contains three buildings that were originally used for auto related services. The applicant is proposing to utilize the western building on site for a pawn business. There will not be any outside storage or display on site. The southern portion of the building will be used for storage of merchandise so they propose to remove the four overhead doors along the east side of the building. Several alternative elevations have been reviewed and the preferred alternative would be to replace the bay doors with stucco panels, without a recess, painted to match the remaining portion of the building, including a continuous blue and green painted CMU wainscot.

The front roof portion of the building will be painted blue and wall signs will be located along the north and west face that comply with the square footage allowed by ordinance (15% for front face and 5% for side).

There is an existing monument sign on site that the applicant proposes to use. However, UDOT

will be widening 3500 South this spring and the monument sign will need to be removed. The applicant may submit a permit for a new sign that complies with the standards of the West Valley City Sign Ordinance at that time.

When the site was originally approved in 1980 the landscape plan shows several trees and shrubs were to be located in the front setback area. However, currently the landscaping on site includes only lawn. The 3500 South project will also effect the landscaping on site and the current UDOT proposal shows 3 tree wells located along the front park strip (2 on the west side and 1 on the east side of the entrance). Therefore staff feels that 2 additional trees should be planted with in the center island. If UDOT does not plant tree wells at this location the applicant must plant a total of 5 trees with in the front landscaped area.

There are approximately 39 parking spaces on site which accommodate all of the uses on site. There is a dumpster located to the south of the building and this area is also being used for tire storage. An enclosure must be constructed for this dumpster and the remaining area shall be used for parking and not tire storage per the original approved site plan.

**Staff Alternatives:**

**Approval**, subject to the resolution of any concerns raised at the public hearing, as well as the following conditions:

1. There is to be no outside storage or merchandise display for this use.
2. If the overhead doors are to be removed they shall be replaced with stucco panels, without a recess, painted to match the remaining portion of the building, including a continuous blue and green painted CMU wainscot.
3. This use shall not include check cashing.
4. A 6' tall masonry enclosure must be provided for the dumpster located on the south side of the building. This enclosure must be located at least 20' from any residential property boundary.
5. Two additional trees shall be planted with in the center island along 3500 South. If UDOT does not plant tree wells at this location the applicant must plant a total of five trees with in the front landscaped area. Trees shall be planted according to the standards and specifications listed in the Standards for Landscaping Along High-Image Arterial Streets (7-13)
6. Signage must comply with the West Valley Sign Ordinance.

**Continuance**, to allow for the resolutions of any issues raised at the public hearing

**Applicant:**

Alisa Lindsey  
725 Meadow Marsh  
Lehi, UT 84043

**Discussion:** Jody Knapp presented the application. She explained that the application was continued from a previous meeting and the applicant has now agreed to remove the overhead doors and replace them with stucco panels, without a recess, painted to match the remaining portion of the building, including a continuous blue and green painted CMU wainscot. Commissioner Mills stated that she had missed the study session and asked the Planning Commission why they chose the first design as opposed to the second one. Commissioner Conder replied that the second one looked too flat. Chairman Woodruff stated that he believed the other designs looked too much like a warehouse. Commissioner Davis said that she wanted to give the building personality and the first design was the lesser of three evils. The applicant, Alisa Lindsey, said that they would go with the design the Planning Commission chose. She said that their business has gotten positive feedback for their professionalism and business. Commissioner Matheson asked Ms. Lindsey if she had an opinion on which design she preferred. Ms. Lindsey stated that she originally recommended the third design that contained the arches. She didn't like the second design but did approve of the first design. Jody Knapp provided a picture of a pawnshop in Midvale. Commissioner Mills liked this design much better. Jody Knapp explained that this was an existing site and said that the building had been repainted green. The buildings on either side are white and the one adjacent is a blue color.

**Motion:** Commissioner Conder moved for approval subject to the 6 staff conditions

Commissioner Davis seconded the motion.

**Roll call vote:**

Commissioner Clayton	Yes
Commissioner Conder	Yes
Commissioner Davis	Yes
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Mills	Yes
Chairman Woodruff	Yes

**Unanimous – C-46-2007 – Approved**

**PLANNING COMMISSION BUSINESS**

Approval of minutes from July 25, 2007 (Regular Meeting) **Approved**

Approval of minutes from July 18, 2007 (Study Session) **Approved**

Approval of minutes from October 24, 2007 (Regular Meeting) **Approved**

Approval of minutes from October 17, 2007 (Study Session) **Not Reviewed**

Approval of minutes from December 12, 2007 (Regular Meeting) **Approved**

Approval of minutes from December 5, 2007 (Study Session) **Approved**

There being no further business, the meeting adjourned at 5:05 p.m.

Respectfully submitted,

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John Janson, Planning Director